

UNITED STATES BANKRUPTCY
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)	
)	
John Mileusnic)	CASE NO.: 20-21394-JRA
aka John Louis Mileusnic)	CHAPTER 7
)	
Debtor)	
)	

UNITED STATES TRUSTEE'S MOTION TO DISMISS

Comes now the United States Trustee, Nancy J. Gargula, by attorney Jennifer W. Prokop, and in support of this Motion to Dismiss pursuant to 11 U.S.C. §§ 707(a) and 727(a)(8), the UST now respectfully states:

1. Debtor John Mileusnic ("Debtor") filed Chapter 7 Case No. 14-23124 on September 16, 2014 and received a chapter 7 discharge in that case.
2. Debtor filed the current case, Case No. 20-21394, on July 14, 2020 less than eight years after the filing of case number 14-23124.
3. Debtor disclosed the prior filing in his current Petition.
4. Section 727(a)(8) of the Bankruptcy Code prohibits the receipt of a chapter 7 discharge in a case filed less than eight years after the date of the filing of a prior case in which a discharge was entered under 11 U.S.C. § 727.
5. The UST respectfully asserts that the Debtor is ineligible to receive a discharge in this case, pursuant to 11 U.S.C. § 727(a)(8), because he received a Chapter 7 discharge in a case filed less than eight years prior to the filing of this case.

WHEREFORE, for the foregoing reasons, the United States Trustee respectfully requests that this Court dismiss this case, without prejudice, and for all other just and proper relief.

Respectfully submitted,

NANCY GARGULA
United States Trustee

July 23, 2020

By: /s/ Jennifer W. Prokop
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CERTIFICATE OF SERVICE

I, Jennifer W. Prokop, hereby certify that a copy of the foregoing Motion to Dismiss was served either electronically, via the Bankruptcy Clerk's ECF Email System, or by First Class United States Mail, postage paid, on July 23, 2020 upon:

Debtor John Mileusnic: 325 Plum Creek Drive, Schererville, IN 46375
Debtor's Attorney: N/A
Trustee Kenneth Manning

/s/Jennifer W. Prokop
Jennifer W. Prokop